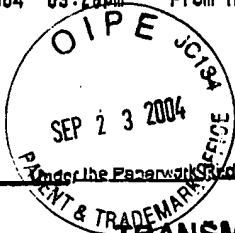


Sep-20-2004 03:28pm From:Howrey,Simon,Arnold &amp; White

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T-341 P.004/010 F-827



PTO/352 (Rev. 04)

Approved for use through 07/31/2004. GNS 0881-0034  
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Application Number

10/784,473

Filing Date

February 23, 2004

First Named Inventor

Allen B. Chefitz

Art Unit

3738

Examiner Name

Attorney Docket Number

Total Number of Pages in This Submission

**ENCLOSURES (Check all that apply)**

- ☒ Fee Transmittal Form  
☒ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☒ Extension of Time Request  
☐ Express Abandonment Request  
☐ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☒ Response to Missing Parts/Incomplete Application  
☒ Response to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a Provisional Application  
☐ Power of Attorney, Revocation  
☐ Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s)

- ☐ After Allowance communication to Technology Center (TC)  
☐ Appeal Communication to Board of Appeals and Interferences  
☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☐ Other Enclosure(s) (please identify below)

Remarks

Replacement specification enclosed.

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**Firm  
or  
Individual name

Allen B. Chefitz

Signature

Date

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name

Allen B. Chefitz

Signature

Allen B. Chefitz

9/20/04

Date

9/20/04

This collection of information is required by 37 CFR 1.6. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 36 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

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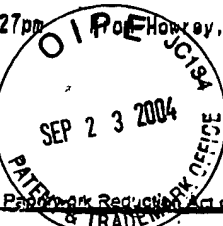
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Sep-20-2004 03:27pm

Patent Attorney, Simon, Arnold &amp; White

9125651766

T-341 P.003/010 F-027



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# FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 210.00)

## Complete if Known

Application Number 10/784,473  
Filing Date February 23, 2004  
First Named Inventor Allen B. Chefitz  
Examiner Name  
Art Unit 3738  
Attorney Pocket No

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☐ Deposit Account:Deposit Account Number  
Deposit Account Name

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☐ Credit any overpayments☐ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 770	2001 303	Utility filing fee	
1002 340	2002 170	Design filing fee	
1003 530	2003 263	Plant filing fee	
1004 770	2004 385	Rescue filing fee	
1005 160	2005 80	Provisional filing fee	

SUBTOTAL (1) (\$)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20- =	X	
Multiple Dependent	-3- =	X	

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
1202 18	2202 9	Claims in excess of 20
1201 88	2201 43	Independent claims in excess of 3
1203 290	2203 145	Multiple dependent claim, if not paid
1204 85	2204 43	** Reissue independent claims over original patent
1205 10	2205 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity - Small Entity

Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Code (\$)	Fee Description
1051 130	2051 65	1052 50	2052 25	Surcharge - late filing fee or oath
1053 130	2053 130	1054 130	2054 130	Surcharge - late provisional filing fee or cover sheet
1812 2,520	1812 2,520	1813 2,520	2055 130	Non-English specification
1804 820	1804 920	1805 1,840	2056 130	For filing a request for ex parte reexamination
1806 1,840	1806 1,840	1807 50	2057 130	Requesting publication of SIR prior to Examiner action
1251 110	2251 55	1808 180	2058 130	Requesting publication of SIR after Examiner action
1252 420	2252 210	8021 40	2059 770	Extension for reply within first month
1253 950	2253 475	1809 770	2060 385	Extension for reply within second month
1254 1,460	2254 740	1810 770	2061 385	Extension for reply within third month
1255 2,010	2255 1,005	1801 770	2062 900	Extension for reply within fourth month
1401 330	2401 165	1802 900		Extension for reply within fifth month
1402 330	2402 165			Notice of Appeal
1403 250	2403 125			Filing a brief in support of an appeal
1451 1,510	2451 1,510			Request for oral hearing
1452 110	2452 55			Petition to institute a public use proceeding
1453 1,330	2453 665			Petition to revive - unavoidable
1601 1,330	2501 665			Petition to revive - unintentional
1602 480	2502 240			Utility issue fee (or reissue)
1503 640	2503 320			Design issue fee
1460 130	2460 130			Plant issue fee
1807 50	2807 50			Petitions to the Commissioner
1808 180	2808 180			Processing fee under 37 CFR 1.17(g)
8021 40	8021 40			Submission of Information Disclosure Stmt
1809 770	2809 385			Recording each patent assignment per property (times number of properties)
1810 770	2810 385			Filing a submission after final rejection (37 CFR 1.129(a))
1801 770	2801 385			For each additional invention to be examined (37 CFR 1.129(b))
1802 900	2802 900			Request for Continued Examination (RCE)
				Request for expedited examination of a design application

Other fee (specify)

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 210.00)

## SUBMITTED BY

Name (Print/Type) Allen B. Chefitz  
Signature *Allen B. Chefitz*Registration No.  
(Attorney/Agent)

## (Complete if applicable)

Telephone 914/576-8104  
Date 9/23/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS.

SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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 www.uspto.gov

APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/784,473	02/23/2004	Allen B. Chefitz	

Allen B. Chefitz M.D.  
 Suite 301  
 140 Lockwood Avenue  
 New Rochelle, NY 10801



CONFIRMATION NO. 1737

## FORMALITIES LETTER



\*OC000000012694627\*

Date Mailed: 05/18/2004

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 385 to complete the basic filing fee for a small entity.*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- A substitute specification in compliance with 37 CFR 1.52, 1.121(b)(3), and 1.125, is required. The specification, claims, or abstract page(s) submitted is not acceptable and cannot be scanned or properly stored because:
  - The line spacing on the specification, claims, or abstract is not 1½ or double spaced (see 37 CFR 1.52(b)).

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$450 for a Small Entity

09/24/2004 FH/ILE1 00000015 10784473

01-FG-2252

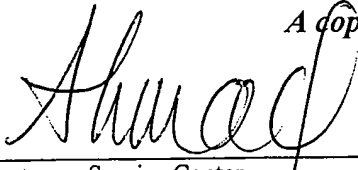
210.00-BP

- \$385 Statutory basic filing fee.
- \$65 Late oath or declaration Surcharge.

Replies should be mailed to: Mail Stop Missing Parts  
Commissioner for Patents  
P.O. Box 1450  
Alexandria VA 22313-1450

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*A copy of this notice MUST be returned with the reply.*



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